

for the registration of the length of the fish/fillet in the feeding direction and/or the weight of the fish/fillet, and the feeding unit comprises a plane on which the fish/fillet is placed and fed forward, said plane forming a settable and adjustable angle to the horizontal plane, means for the automatic adjustment and setting of the angle of the plane during cutting in relation to the cutting unit as a function of the length and/or the weight of the fish/fillet, to cut the fish into equal portions, and also a gripping device which comprises means for the handling of the slices from the area in which the cutting takes place.

REMARKS

Reconsideration and removal of the grounds for rejection are respectfully requested. Claims 1-11 were in this application, claim 1 has been amended. Claims 1-8 were previously allowed and claims 1-7 were rejected.

Entry of the amendment to claim 1 is requested as reducing the issues for appeal and/or placing the claims in condition for allowance. In particular, the incorporation of the limitation concerning the adjustment of the plane in relation to the cutting unit during cutting to cut the fish/fillet into equal portions in claim 1 conforms claim 1 to the prior arguments which were believed to distinguish the invention from the prior art and thus, place the application in condition for allowance.

Claims 1 and 7 were rejected under 35 U.S.C. §102(b) as being anticipated by Spranger DL0135798. As described previously, Spranger discloses an automatic device to feed fish to processing machines at a level depending on the fish size which means according to height. On the other hand, the present invention is a processing machine directed to cutting pieces of fish or fillets into slices to put in a retail package. In particular, the apparatus takes into consideration the length and/or weight of the fish so that uniform slices are achieved. (Specification P. 2, L. 11-13). As Spranger has no means for achieving the automatic adjustment and setting of the angle of the plane during cutting in relation to the cutting unit as the function of the length and/or weight of the fish fillet to cut the fish into equal portions, each and every element of claim 1 is not found in Spranger and claim 1, and the claims depending therefrom, are believed patentable over the art. As claims 2-7 depend from and contain all the limitations of claim 1 therein, the